

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA DIVISION

IN RE: § Chapter 7
OTHEL DEWAYNE BREWER, §
§ Case No. 04-72039
§
Debtor. § Judge W. Homer Drake

MOTION TO RE-OPEN CHAPTER 7 CASE

COMES NOW, Othel Dewayne Brewer (“Debtor”), by and through his undersigned counsel of record, and moves pursuant to 11 U.S.C. § 350(b) and Federal Rules of Bankruptcy Procedure, Rule 5010 for an Order re-opening Debtor’s Chapter 7 case. In support of Debtor’s Motion, Debtor shows the Court as follows:

1.

On July 27, 2004, Debtors filed his voluntary petition for Chapter 7 bankruptcy protection; a Meeting of Creditors was held on August 24, 2004.

2.

On November 2, 2004, an Order was issued discharging Debtor and closing his Bankruptcy.

3.

Debtor’s wages have now been garnished as a result of a judgment obtained on a pre-petition debt owed to the Clairmont Hills Condominium Association, Inc.

4.

This debt represents homeowner’s association fees incurred prior to and after the filing of Debtor’s Petition. Debtor surrendered his interest in the home through his bankruptcy filing and vacated the premises shortly thereafter.

5.

Debtor is in need of the relief accorded through a discharge of this pre-petition debt.

WHEREFORE, Debtor prays that:

1. The Court re-open the above-captioned bankruptcy case pursuant to 11 U.S.C. § 350(b) in order to allow the Debtor to seek additional relief; and
2. That the Debtor has such other and further relief as this Honorable Court deems necessary and proper.

Respectfully submitted,

HAIT & EICHELZER

By: /s/
Lesley Annis
GA Bar No. 019780
Attorney for the Debtors
185 Stockwood Drive
Suite 100
Woodstock, Georgia 30188
770-517-0045

VERIFICATION

I, Othel Dewayne Brewer, do verify, under penalty of perjury, that the information contained in the foregoing documents prepared and filed with the Court are true and correct to the best of our knowledge.

/s/
Othel Dewayne Brewer

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 14th day of March, 2005 a copy of the foregoing document was deposited into the United States mail, postage prepaid, to the following parties set forth below.

 /s/
Lesley Annis

Othel Dewayne Brewer
2412 Peachwood Circle #3
Atlanta, GA 30345

Angelyn M. Wright
Chapter 7 Trustee
116 East Howard Avenue
PO Box 2890
Decatur, GA 30031-2890

Plus to creditor on attached Supplemental Matrix

SUPPLEMENTAL MATRIX

Beneficial
PO Box 17574
Baltimore, MD 21297-1574

Capital One Bank
PO Box 530092
Atlanta, GA 30353-0092

Chase
P.O. Box 17202
Wilmington, DE 19886-7202

Direct Merchants Bank
P.O. Box 17036
Baltimore, MD 21297-0448

Fairbanks Capital Corp.
P.O. Box 65250
Salt Lake City, UT 84165-0250

Fidelity National Loan
160 Clairmont Road
Decatur, GA 30030

Home Depot Credit Services
Processing Center
Des Moines, IA 50364

Household Bankcard Services
P.O. Box 17313
Baltimore, MD 21297

NCO Financial Systems
P.O. Box 41457
Philadelphia, PA 19101-1457

Rich's-Macy's
P.O. Box 4587
Carol Stream, IL 60197-4587

Southeast Toyota Finance
P.O. Box 96088
Charlotte, NC 28296-0088